

**EXHIBIT 36**



1 IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

2 MONIQUE RUSSELL, et al. :

3 Plaintiffs : Case No.:

4 Vs. : CAL17-22761

5 DIMENSIONS HEALTH CORP., : CAL17-37091

6 et al. : CAL18-07863

7 Defendants :

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10 Deposition of ELSA MIGUELINA POWELL, was  
11 taken via Videotape on Wednesday, March 27, 2019,  
12 commencing at 9:56 a.m., at Schochor, Federico &  
13 Staton, P.A., The Paulton, 1211 St. Paul Street,  
14 Baltimore, Maryland, before MICHELE D. LAMBIE,  
15 Notary Public.

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21 Reported By: Michele D. Lambie, CSR-RPR

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<p>1 APPEARANCES:</p> <p>2 ON BEHALF OF THE PLAINTIFFS:</p> <p>3 Schochor, Federico &amp; Staton, P.A.</p> <p>4 TARA CLARY, ESQUIRE</p> <p>5 tclary@sfspa.com</p> <p>6 The Paulton</p> <p>7 1211 St. Paul Street</p> <p>8 Baltimore, Maryland 21202</p> <p>9 (410) 234-1000</p> <p>10</p> <p>11 ON BEHALF OF THE DEFENDANTS:</p> <p>12 Pessin Katz Law, P.A.</p> <p>13 BRIAN M. CATHELL, ESQUIRE</p> <p>14 bcathell@pklaw.com</p> <p>15 901 Dulaney Valley Road, Suite 400</p> <p>16 Towson, Maryland 21204</p> <p>17 (410) 938-8800</p> <p>18</p> <p>19 ALSO PRESENT: Curtis Roginski - Videographer</p> <p>20</p> <p>21</p>	<p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: Good morning. We are</p> <p>3 going on the record at 9:56 a.m. on March 27th,</p> <p>4 2019. This media unit one of the video-recorded</p> <p>5 deposition of Elsa Powell taken in the matter of</p> <p>6 Monique Russell, et al. v Dimensions Health Corp,</p> <p>7 et al. filed in the Circuit Court for Prince</p> <p>8 George's County, Maryland. The Case Number is</p> <p>9 CAL17-22761, and Case Number CAL17-37091, and Case</p> <p>10 Number CAL18-07863.</p> <p>11 This deposition is being held at</p> <p>12 Schochor, Federico and Staton located at 1211</p> <p>13 St. Paul Street, Baltimore, Maryland 21202.</p> <p>14 My name is Curtis Roginski, and I'm the</p> <p>15 videographer. The court reporter is Michele</p> <p>16 Lambie.</p> <p>17 Will counsel please identify yourselves</p> <p>18 and state whom you represent?</p> <p>19 MS. CLARY: Tara Clary for the</p> <p>20 Plaintiffs.</p> <p>21 MR. CATHELL: Brian Cathell on behalf of</p>
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<p>1 EXAMINATION INDEX</p> <p>2</p> <p>3 WITNESS: ELSA MIGUELINA POWELL PAGE</p> <p>4 DIRECT BY MR. CATHELL 5</p> <p>5</p> <p>6 EXHIBIT INDEX</p> <p>7 (Attached to Transcript.)</p> <p>8 MARKED</p> <p>9 ELSA MIGUELINA POWELL</p> <p>10 Exhibit 1 Answers to Interrogatories 12</p> <p>11 Exhibit 2 Consent Form 56</p> <p>12 Exhibit 3 Consent Form 57</p> <p>13 Exhibit 4 Consent Form 58</p> <p>14 Exhibit 5 Birth Band 64</p> <p>15 Exhibit 6 Consent Form 67</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<p>1 the Defendants.</p> <p>2 THE VIDEOGRAPHER: Will the court</p> <p>3 reporter please swear in the witness.</p> <p>4 ELSA MIGUELINA POWELL</p> <p>5 the Deponent, called for examination by the</p> <p>6 Defendants, being first duly sworn to tell the</p> <p>7 truth, the whole truth, and nothing but the truth,</p> <p>8 testified as follows:</p> <p>9 DIRECT EXAMINATION</p> <p>10 BY MR. CATHELL:</p> <p>11 Q. Good morning, Ms. Powell. I introduced</p> <p>12 myself informally off the record. Have you had</p> <p>13 your deposition taken before?</p> <p>14 A. No.</p> <p>15 Q. Okay. So, just a few rules before we get</p> <p>16 started, okay? The first rule or -- the first rule</p> <p>17 is if you need a break at any time, you're allowed</p> <p>18 to do so. You can take a break for any reason or</p> <p>19 no reason. Just let one of us know, and we may</p> <p>20 take a break as well.</p> <p>21 So, if -- if you need to go to the</p>

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<p>1 bathroom or get a drink or something, that's</p> <p>2 certainly okay, all right?</p> <p>3 A. (Nodding head yes.)</p> <p>4 Q. We're not holding you hostage, fair?</p> <p>5 A. Fair.</p> <p>6 Q. Okay. She is taking down everything that</p> <p>7 we say. Because of that, your responses need to be</p> <p>8 verbal; yes, no, I don't know. But they can't be</p> <p>9 head nods or um-hums or huh-uhs because she has</p> <p>10 difficulty typing that down, is that fair?</p> <p>11 A. Fair.</p> <p>12 Q. Okay. If -- if I ask you a question</p> <p>13 today that you don't understand, which is entirely</p> <p>14 possible, please let me know, and I'm happy to</p> <p>15 rephrase it as many times as I need to, okay?</p> <p>16 A. Yes, sir.</p> <p>17 Q. If we're talking about a topic that</p> <p>18 you're confused about, which is likely my fault,</p> <p>19 just let me know, and I'm happy to try to clarify</p> <p>20 my questions and to drill down on what it is I'm</p> <p>21 asking for, okay?</p>	<p>1 Q. And what did you assume the new name,</p> <p>2 take the new name of Powell?</p> <p>3 A. January 13, 2015.</p> <p>4 Q. And are you currently married?</p> <p>5 A. Yes.</p> <p>6 Q. And I assume you've been married</p> <p>7 continuously since January 13th, 2015?</p> <p>8 A. Correct.</p> <p>9 Q. And was that your first marriage?</p> <p>10 A. Yes.</p> <p>11 Q. And what's the name of your spouse?</p> <p>12 A. Gregory Lamont Powell, III.</p> <p>13 Q. And how many children do you have?</p> <p>14 A. Five.</p> <p>15 Q. Okay. Can you tell me their names and</p> <p>16 ages starting with the oldest?</p> <p>17 A. Lucy, she's 13. Nestor, he's 12.</p> <p>18 Josiah, he's eight. Jaiden, he's four, and</p> <p>19 Tatiana, she's two.</p> <p>20 Q. Who lives in your home with you now?</p> <p>21 A. Myself, my husband, and my children.</p>
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<p>1 A. Yes, sir.</p> <p>2 Q. And, lastly, I think we're going to talk</p> <p>3 about some personal and -- and difficult topics</p> <p>4 today, and it is not my intention to embarrass you.</p> <p>5 This is our opportunity to explore the topic of</p> <p>6 class certification, and so there are certain areas</p> <p>7 that I need to explore with you here today. So,</p> <p>8 I -- I don't want you to embarrass you, and I</p> <p>9 certainly don't want to upset you, okay?</p> <p>10 A. I understand.</p> <p>11 Q. Okay. What is your name?</p> <p>12 A. Elsa Powell.</p> <p>13 Q. And what is your date of birth,</p> <p>14 Ms. Powell?</p> <p>15 A. April 14, 1987.</p> <p>16 Q. And what is your current address?</p> <p>17 A. 12705 Livo Place, Upper Marlboro,</p> <p>18 Maryland 20772.</p> <p>19 Q. Okay. And have you gone by any other</p> <p>20 names or aliases?</p> <p>21 A. My maiden name, which is Delvillar-Mejia.</p>	<p>1 Q. All five children?</p> <p>2 A. Yes.</p> <p>3 Q. And which children do you share in common</p> <p>4 with Mr. Powell?</p> <p>5 A. Jaiden and Tatiana.</p> <p>6 Q. And do Lucy, Nestor, and Josiah share a</p> <p>7 father?</p> <p>8 A. Lucy and Nestor do.</p> <p>9 Q. Okay. What was his name or is his name?</p> <p>10 A. Nestor Mercedes.</p> <p>11 Q. Okay. And what is the name of the father</p> <p>12 of Josiah?</p> <p>13 A. Waldemar Rodriguez.</p> <p>14 Q. Can you spell the first part for me?</p> <p>15 A. W-A-L-D-E-M-A-R.</p> <p>16 Q. Rodriguez?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And who was living with you in</p> <p>19 September of 2014 when you -- when you were in</p> <p>20 contact with Dr. Akoda or when -- I assume that's</p> <p>21 when you gave birth to Jaiden, correct?</p>

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<p>1 A. That's correct.</p> <p>2 Q. Okay. Who was living with you at that</p> <p>3 time?</p> <p>4 A. My three oldest children.</p> <p>5 Q. And Mr. Powell?</p> <p>6 A. No.</p> <p>7 Q. And when did Mr. Powell first start</p> <p>8 living with you?</p> <p>9 A. January 2015.</p> <p>10 Q. So, after the marriage?</p> <p>11 A. Yes.</p> <p>12 Q. I'd like to talk about your educational</p> <p>13 background. Do you hold any degrees or</p> <p>14 certifications?</p> <p>15 A. Certifications, yes.</p> <p>16 Q. Okay. And which certifications do you</p> <p>17 hold?</p> <p>18 A. I'm certified in the Spanish language. I</p> <p>19 also hold a Maryland guard card.</p> <p>20 Q. Is that National Guard?</p> <p>21 A. No. It's a security guard card. They</p>	<p>1 Answers to Interrogatories, marked for</p> <p>2 identification.)</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. And if you'll turn to the second to the</p> <p>5 last page I believe -- the third to the last page.</p> <p>6 MS. CLARY: Are you looking for the</p> <p>7 signature line?</p> <p>8 MR. CATHELL: Yes.</p> <p>9 MS. CLARY: Do you mind if I grab it for</p> <p>10 you?</p> <p>11 (Document tendered.)</p> <p>12 MS. CLARY: I'm not sure I'm doing any</p> <p>13 better here. There you go.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. In the top-left portion of the document,</p> <p>16 is that your signature, Ms. Powell?</p> <p>17 A. That's correct.</p> <p>18 Q. Okay. And did you participate or provide</p> <p>19 information for your attorneys to draft the Answers</p> <p>20 to Interrogatories?</p> <p>21 A. That's correct.</p>
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<p>1 call it certification card. A CPR certification</p> <p>2 card as well.</p> <p>3 Q. And a certification in Spanish language,</p> <p>4 I -- I won't go into that too much, but that's a</p> <p>5 certification that you're proficient in --</p> <p>6 A. In the Spanish language.</p> <p>7 Q. -- speaking or teaching Spanish, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Are you employed currently?</p> <p>10 A. Yes.</p> <p>11 Q. So, for the sake of brevity, I -- you</p> <p>12 participate -- I assume you participated in -- in</p> <p>13 drafting Answers to Interrogatories, and in the</p> <p>14 interrogatories, you include your employment</p> <p>15 positions. So, I will show you what I've marked</p> <p>16 as -- what I'm going to mark. Instead of us going</p> <p>17 through all of them, I'm just going to show you the</p> <p>18 interrogatories, and then ask you questions about</p> <p>19 each, is that fair?</p> <p>20 A. Um-hum. Yes, sir.</p> <p>21 (Whereupon, Powell Deposition Exhibit 1,</p>	<p>1 Q. Okay. If you'll turn to page 12,</p> <p>2 specifically answer to Interrogatory Number 16,</p> <p>3 your employment history is listed?</p> <p>4 A. Page 12?</p> <p>5 Q. Yes. If you'll just review that for me</p> <p>6 briefly. Is that employment history still accurate</p> <p>7 as we sit here today?</p> <p>8 A. No. There's been some change.</p> <p>9 Q. Okay. And what are those changes?</p> <p>10 A. MVM, it's partner with Paragon Systems,</p> <p>11 and we're contractors for NIH.</p> <p>12 Q. So, the entity title has changed, but</p> <p>13 you're still employed at the same --</p> <p>14 A. Yes.</p> <p>15 Q. -- in the same position, correct?</p> <p>16 A. Correct.</p> <p>17 Q. And you started with MVM in June of 2018,</p> <p>18 correct?</p> <p>19 A. Correct.</p> <p>20 Q. And what are your responsibilities at</p> <p>21 MVM?</p>

<p style="text-align: right;">Page 14</p> <p>1 A. Administrative.</p> <p>2 Q. Okay. And are you in a particular</p> <p>3 department, or are you just administrative?</p> <p>4 A. Building 31 at NIH.</p> <p>5 Q. And what are your daily roles and</p> <p>6 responsibilities?</p> <p>7 A. Answer the phone, do reports, cover</p> <p>8 shifts.</p> <p>9 Q. Okay.</p> <p>10 A. It's a lot.</p> <p>11 Q. All right.</p> <p>12 A. It's --</p> <p>13 Q. I'm sure it is. Are you full time?</p> <p>14 A. Yes.</p> <p>15 Q. And is that five days a week?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And prior to MVM, you were with</p> <p>18 Blueline Security Services, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. And what were the circumstances under</p> <p>21 which you left Blueline Security Ser- -- Services?</p>	<p style="text-align: right;">Page 16</p> <p>1 the time.</p> <p>2 Q. And what were the circumstances under</p> <p>3 which you left VMG Resources in July 2014?</p> <p>4 A. My other three children needed full-time</p> <p>5 care that I wasn't provided with my schedule at VMG</p> <p>6 Resources.</p> <p>7 Q. And prior to VMG Resources, you were with</p> <p>8 Little Imaginations Development Center. Is that a</p> <p>9 child-care facility?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And you were there from April 2013</p> <p>12 to June 2013?</p> <p>13 A. Correct.</p> <p>14 Q. And what were the circumstances under</p> <p>15 which you left Little Imaginations in June of 2013?</p> <p>16 A. The pay was not what I expected.</p> <p>17 Q. And did you work outside of the home</p> <p>18 between June 2013 and February of 2014?</p> <p>19 A. No, I did not.</p> <p>20 Q. And I assume that was also to care for</p> <p>21 your children at that time?</p>
<p style="text-align: right;">Page 15</p> <p>1 A. MVM offered a better opportunity for me.</p> <p>2 Q. And what did you do between April of</p> <p>3 18 -- 2018 and June of 2018?</p> <p>4 A. I was taking care of my two-year-old</p> <p>5 daughter, who was born with a kidney issue.</p> <p>6 Q. Okay. And would that have been Tatiana?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Prior to Blueline Security</p> <p>9 Services, you were a front-desk agent at VMG</p> <p>10 Resources, correct?</p> <p>11 A. That's correct.</p> <p>12 Q. And you were there from February 2014 to</p> <p>13 July 2014?</p> <p>14 A. That's correct.</p> <p>15 Q. What employment outside of the</p> <p>16 home -- understanding that employment inside of the</p> <p>17 home is much more rigorous than employment outside</p> <p>18 of the home. What employment, if any, did you hold</p> <p>19 outside of the home between July 2014 and November</p> <p>20 2017?</p> <p>21 A. I was not working outside of the home at</p>	<p style="text-align: right;">Page 17</p> <p>1 A. Yes.</p> <p>2 Q. I notice in your Answers to</p> <p>3 Interrogatories, you listed George Washington</p> <p>4 Hospital special police officer. Are you still</p> <p>5 credentialed as a police officer?</p> <p>6 A. No. I'm credentialed as a security</p> <p>7 guard.</p> <p>8 Q. Okay. Were you credentialed as a special</p> <p>9 police officer?</p> <p>10 A. Yes, I was.</p> <p>11 Q. And it's my understanding that that is a</p> <p>12 certification that you have to maintain as the</p> <p>13 years pass; is that correct?</p> <p>14 A. Correct.</p> <p>15 Q. And I assume you just, for whatever</p> <p>16 reason, didn't maintain that certification?</p> <p>17 A. That's correct.</p> <p>18 Q. So, this is a question that we're -- that</p> <p>19 I have to ask everybody, so it's not particular to</p> <p>20 you.</p> <p>21 Have you since your 18th birthday, while</p>

<p style="text-align: right;">Page 18</p> <p>1 you were represented by counsel, ever pleaded</p> <p>2 guilty to or have been convicted of any crime,</p> <p>3 other than a minor traffic violation?</p> <p>4 MS. CLARY: Objection, but you can</p> <p>5 answer.</p> <p>6 THE WITNESS: Never.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. I didn't -- I didn't suspect so. And</p> <p>9 you've never had your deposition taken before,</p> <p>10 correct?</p> <p>11 A. Correct.</p> <p>12 Q. Have you ever been a Plaintiff or a</p> <p>13 defendant in any lawsuit?</p> <p>14 A. No.</p> <p>15 Q. Have you ever made a claim for injury</p> <p>16 against any individual, business, or other entity?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And tell me about that claim.</p> <p>19 A. CVS about nine years ago gave me the</p> <p>20 wrong medication.</p> <p>21 Q. And was that in Baltimore?</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. When -- when you say you bled out, did</p> <p>2 you -- were you hospitalized as a result of</p> <p>3 the -- the -- taking the aspirin?</p> <p>4 A. Not hospitalized. They let me go the</p> <p>5 same day, but it kind of pushed the miscarriage.</p> <p>6 Q. I'm sorry. Did you have any lasting or</p> <p>7 permanent injury as a result of the medication</p> <p>8 error?</p> <p>9 A. No.</p> <p>10 Q. Did you make a claim for that same</p> <p>11 scenario for any mental health damages, --</p> <p>12 A. No.</p> <p>13 Q. -- such as depression or anxiety?</p> <p>14 A. No.</p> <p>15 Q. Is that the only claim you've made?</p> <p>16 Other than the current lawsuit, is that the only</p> <p>17 claim you've made against a healthcare provider?</p> <p>18 A. Yes.</p> <p>19 Q. Have you ever made a Workers'</p> <p>20 Compensation claim?</p> <p>21 A. No.</p>
<p style="text-align: right;">Page 19</p> <p>1 A. No.</p> <p>2 Q. Or in Maryland?</p> <p>3 A. Maryland, yes.</p> <p>4 Q. Okay. And what type of claim did</p> <p>5 you -- did you make?</p> <p>6 A. I do not recall. I -- my lawyer handled</p> <p>7 everything. I know there was a settlement for</p> <p>8 10,000.</p> <p>9 Q. Okay. Do you know if a lawsuit was ever</p> <p>10 filed on your behalf?</p> <p>11 A. I do not recall.</p> <p>12 Q. And the medication error, did it cause</p> <p>13 you injury?</p> <p>14 A. Yes.</p> <p>15 Q. And tell me about the injury it caused</p> <p>16 you.</p> <p>17 A. It caused me to bleed out.</p> <p>18 Q. Can you describe that for me?</p> <p>19 A. I was in the process of having a</p> <p>20 miscarriage, and CVS gave me aspirin, which led for</p> <p>21 me to bleed out.</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. Have you ever suffered physical,</p> <p>2 emotional, or sexual abuse of any kind by any</p> <p>3 person at any time in your life?</p> <p>4 A. No.</p> <p>5 Q. Have you ever been injured physically,</p> <p>6 mentally, or emotionally in any way by any other</p> <p>7 person at any time?</p> <p>8 A. No.</p> <p>9 Q. Have you ever been hospitalized, other</p> <p>10 than to deliver one of your children?</p> <p>11 A. No.</p> <p>12 Q. I know you have five children.</p> <p>13 How -- how many times have you been pregnant?</p> <p>14 A. Six.</p> <p>15 Q. Have you ever been diagnosed with a</p> <p>16 condition that affects or limits your activities in</p> <p>17 any way?</p> <p>18 A. No.</p> <p>19 Q. And that would include a mental or a</p> <p>20 physical condition?</p> <p>21 A. No.</p>

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<p>1 Q. Have you ever been diagnosed with a</p> <p>2 mental illness of any kind?</p> <p>3 A. No.</p> <p>4 Q. Have you taken any medications at any</p> <p>5 time in your life for a mental illness, which would</p> <p>6 also include depression or anxiety?</p> <p>7 A. No.</p> <p>8 Q. Have you ever been diagnosed with</p> <p>9 posttraumatic stress disorder?</p> <p>10 A. No.</p> <p>11 Q. Talking about your prior medical history,</p> <p>12 who is -- starting with your current primary care</p> <p>13 provider. Do you have a current primary care</p> <p>14 provider?</p> <p>15 A. Yes, I do.</p> <p>16 Q. And what is his or her name?</p> <p>17 A. Emily Lo, L-O.</p> <p>18 Q. And where is Dr. Lo located?</p> <p>19 A. Kaiser Permanente', Camp Springs,</p> <p>20 Maryland.</p> <p>21 Q. And how long have you been a patient of</p>	<p>1 respiratory infection, so she prescribed some cough</p> <p>2 pills and an inhaler.</p> <p>3 Q. Do you currently have an OB/GYN?</p> <p>4 A. Yes, I do.</p> <p>5 Q. And who is that? What is that person's</p> <p>6 name?</p> <p>7 A. I do not know his name.</p> <p>8 Q. And the doctor is a male?</p> <p>9 A. Yes.</p> <p>10 Q. Do you know where his office is located?</p> <p>11 A. Kaiser Permanente', Marlton.</p> <p>12 Q. Are you saying --</p> <p>13 A. Marlton.</p> <p>14 Q. -- Marlton?</p> <p>15 A. Yes. It's -- it's in Marlton,</p> <p>16 and --</p> <p>17 Q. Marlton as -- as in the city of Marlton?</p> <p>18 A. In Maryland. Well, it's considered</p> <p>19 Temple Hills as well.</p> <p>20 Q. Okay.</p> <p>21 MS. CLARY: M-A-R-L-T-O-N.</p>
Page 23	Page 25
<p>1 Dr. Lo, if you know?</p> <p>2 A. Three to four years.</p> <p>3 Q. And how often do you see Dr. Lo?</p> <p>4 A. Not often.</p> <p>5 Q. Do you see her once a year, once every</p> <p>6 six months, once every two years?</p> <p>7 A. Unless I'm really sick and I can't take</p> <p>8 it any more, then I'll go see her. Other than</p> <p>9 that, I don't see her.</p> <p>10 Q. When is the last time you saw Dr. Lo, if</p> <p>11 you can recall?</p> <p>12 A. The last time I saw her was some time in</p> <p>13 February.</p> <p>14 Q. Of 2019?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And what was that for?</p> <p>17 A. I had a terrible cough, so I went to see</p> <p>18 her.</p> <p>19 Q. And did she prescribe you medication or</p> <p>20 offer other treatment for the cough?</p> <p>21 A. Yeah. She said I had an upper-body</p>	<p>1 MR. CATHELL: Thank you. I had not heard</p> <p>2 of that.</p> <p>3 MS. CLARY: I had not either, but I have</p> <p>4 an iPad in front of me, so I looked it up.</p> <p>5 BY MR. CATHELL:</p> <p>6 Q. Do you have any other identifying</p> <p>7 information that I could use to try to find</p> <p>8 this -- this doctor? It's a male at Kaiser</p> <p>9 Perm -- Permanente' in Marlton. Do you know, is he</p> <p>10 part of a practice group?</p> <p>11 A. I just know that he's with Kaiser.</p> <p>12 Q. Okay. Is he -- do you know, is he</p> <p>13 Caucasian or African American?</p> <p>14 A. I haven't -- I haven't -- I haven't seen</p> <p>15 him yet. They told me to make an appointment, and</p> <p>16 I haven't -- I haven't gone and seen him.</p> <p>17 Q. So, you haven't actually received</p> <p>18 treatment from this doctor, correct?</p> <p>19 A. No.</p> <p>20 Q. Prior to deciding that you would see</p> <p>21 the -- this -- the male doctor at Kaiser</p>



<p style="text-align: right;">Page 26</p> <p>1 Permanente', did you have an OB/GYN?</p> <p>2 A. Yes, when I was pregnant with my youngest</p> <p>3 daughter.</p> <p>4 Q. And who was that doctor?</p> <p>5 A. I had Dr. Kingsley. The same location.</p> <p>6 Q. Kingsley?</p> <p>7 A. Yes, and it was -- it was another female</p> <p>8 doctor. I can't remember her name.</p> <p>9 Q. And how often did you say or</p> <p>10 what -- strike that.</p> <p>11 What years did you see Dr. Kingsley?</p> <p>12 A. I saw Dr. Kingsley from 2015 till 2016.</p> <p>13 Q. So, from 2016 until making arrangements</p> <p>14 with the unidentified male physician at Kaiser</p> <p>15 Permanente', did you see any other OB/GYNs?</p> <p>16 A. No.</p> <p>17 Q. Would your primary care provider during</p> <p>18 that time perform yearly wellness checks, or did</p> <p>19 you just not get the yearly wellness checks?</p> <p>20 A. I did not get them.</p> <p>21 Q. Prior to Dr. Kingsley, who was your</p>	<p style="text-align: right;">Page 28</p> <p>1 first three children?</p> <p>2 A. No. She was my OB/GYN with Jaiden, my</p> <p>3 four-year-old. I started with her. Her</p> <p>4 practice -- at her office, you only could go a</p> <p>5 certain amount of months, and then she would refer</p> <p>6 you.</p> <p>7 Q. And I assume she referred you in 2014 to</p> <p>8 Dr. Akoda, correct?</p> <p>9 A. Not him, per se.</p> <p>10 Q. Fair enough. To Dr. -- to Dr. Chaudry's</p> <p>11 practice, correct?</p> <p>12 A. Correct.</p> <p>13 Q. Who was the OB/GYN that -- if there -- if</p> <p>14 there was one single doctor, who was the OB/GYN</p> <p>15 that cared for you and delivered the first three</p> <p>16 children, if you -- if there is one specific</p> <p>17 person?</p> <p>18 A. It was in Virginia. Arlington Hospital.</p> <p>19 It's a prac- -- an office -- a doctor's office,</p> <p>20 OB/GYN. I do not remember his name. It's so long</p> <p>21 ago.</p>
<p style="text-align: right;">Page 27</p> <p>1 OB/GYN?</p> <p>2 A. Prior to Dr. Kingsley?</p> <p>3 Q. Yes.</p> <p>4 A. Dr. Akoda.</p> <p>5 Q. And we're going to explore that in detail</p> <p>6 in a couple of minutes, but what years did you see</p> <p>7 Dr. Akoda, if you recall?</p> <p>8 A. I saw Dr. Akoda from 2014 to 2015.</p> <p>9 Q. And prior to Dr. Akoda in -- do you</p> <p>10 remember the specific month, by chance, that you</p> <p>11 first came into contact with Dr. Akoda?</p> <p>12 A. If I'm not mistaken, it was around April</p> <p>13 or May of 2014.</p> <p>14 Q. And prior to Dr. Akoda, who was your</p> <p>15 OB/GYN?</p> <p>16 A. I do not remember her name.</p> <p>17 Q. Had that OB/GYN -- you said her, so I</p> <p>18 assume it was a female, correct?</p> <p>19 A. It was a female, yes.</p> <p>20 Q. Had that OB/GYN been the OB/GYN who cared</p> <p>21 for you during your pregnancies and delivered your</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Have you since your involvement with</p> <p>2 Dr. Akoda seen any healthcare provider of any kind</p> <p>3 for any issue you claim is related to your</p> <p>4 involvement with Dr. Akoda?</p> <p>5 A. No.</p> <p>6 Q. What medications do you currently take?</p> <p>7 A. Ibuprofen.</p> <p>8 Q. So, you don't have any prescription</p> <p>9 medications, is that fair?</p> <p>10 A. Besides the cough medicine,</p> <p>11 that's -- that's it.</p> <p>12 Q. Okay. Have you at any time had an OB/GYN</p> <p>13 or primary care provider that we have not already</p> <p>14 discussed?</p> <p>15 A. No.</p> <p>16 Q. So, Dr. Lo, who you began working with</p> <p>17 three to four years ago, would have been your first</p> <p>18 primary care provider?</p> <p>19 A. Yes.</p> <p>20 Q. What evidence do you have regarding</p> <p>21 Dr. Akoda's background?</p>

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<p>1 A. What evidence do I have?</p> <p>2 MS. CLARY: Let me --</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. If any. If any.</p> <p>5 MS. CLARY: I'm just going to object to</p> <p>6 the overbroad nature, but you can answer as best</p> <p>7 you can.</p> <p>8 THE WITNESS: I don't -- I'm not</p> <p>9 understanding the question.</p> <p>10 BY MR. CATHELL:</p> <p>11 Q. Okay. Do you have any evidence</p> <p>12 regarding -- you yourself -- let me strike that.</p> <p>13 These questions pertain only to you, not</p> <p>14 what you've learned from your attorneys. But just</p> <p>15 I'm trying to explore what you personally have</p> <p>16 either in your possession or your knowledge, is</p> <p>17 that fair?</p> <p>18 A. That's fair.</p> <p>19 Q. Okay. Do you have any evidence yourself</p> <p>20 regarding Dr. Akoda's background?</p> <p>21 A. No.</p>	<p>1 doctors.</p> <p>2 Q. Do you know what goes into successfully</p> <p>3 completing a medical residency?</p> <p>4 A. Years of training and hard dedication.</p> <p>5 Q. Do you know whether Dr. Akoda</p> <p>6 successfully completed a medical residency?</p> <p>7 A. No.</p> <p>8 Q. Do you know if Dr. Akoda passed all</p> <p>9 national examinations in order to complete his</p> <p>10 residency?</p> <p>11 A. No.</p> <p>12 Q. Do you know whether Dr. Akoda passed or</p> <p>13 failed any medical examinations?</p> <p>14 A. No.</p> <p>15 Q. Do you know whether Dr. Akoda was board</p> <p>16 certified by the American Board of Obstetrics and</p> <p>17 Gyn -- and Gynecology?</p> <p>18 A. No.</p> <p>19 Q. Do you know what is entailed with -- in</p> <p>20 order for a physician to become board certified?</p> <p>21 A. No, I do not.</p>
Page 31	Page 33
<p>1 Q. It's not a trick question. I'm just -- I</p> <p>2 want to make sure I cover everything.</p> <p>3 Do you have any evidence regarding</p> <p>4 whether Dr. Akoda was licensed to practice medicine</p> <p>5 in Maryland?</p> <p>6 A. No.</p> <p>7 Q. Do you have any evidence regarding</p> <p>8 whether Dr. Akoda was licensed to practice medicine</p> <p>9 in Virginia?</p> <p>10 A. No.</p> <p>11 Q. What evidence do you have regarding</p> <p>12 Dr. Akoda's training as a doctor?</p> <p>13 A. None.</p> <p>14 Q. Do you know where Dr. Akoda went to</p> <p>15 medical school?</p> <p>16 A. No.</p> <p>17 Q. Do you know where Dr. Akoda did his</p> <p>18 residency?</p> <p>19 A. No.</p> <p>20 Q. Do you know what a residency is?</p> <p>21 A. I'm assuming it's a medical school for</p>	<p>1 Q. Were you aware that Dr. Akoda took a</p> <p>2 written board examination and passed?</p> <p>3 A. No, I do not.</p> <p>4 Q. Were you aware that Dr. Akoda took an</p> <p>5 oral examination and passed?</p> <p>6 A. No.</p> <p>7 Q. What do you know about how Dr. Akoda</p> <p>8 began using the name Akoda?</p> <p>9 A. Nothing. I thought he was born with it.</p> <p>10 Q. Do you know when Dr. Akoda began using</p> <p>11 the name Akoda?</p> <p>12 A. No.</p> <p>13 Q. Do you know why he began using the name</p> <p>14 Akoda?</p> <p>15 A. No.</p> <p>16 Q. Do you know what ECFMG certification</p> <p>17 stands for?</p> <p>18 A. Yes.</p> <p>19 Q. What is that?</p> <p>20 A. It's -- it's where they decide who's</p> <p>21 qualified, which -- which foreign doctor is</p>

<p style="text-align: right;">Page 34</p> <p>1 qualified to practice.</p> <p>2 Q. The acronym stands for Educational</p> <p>3 Commission for Foreign Med- -- Medical Graduates?</p> <p>4 A. (Nodding head yes.)</p> <p>5 Q. Were you aware that to be certified a</p> <p>6 foreign medical graduate takes an examination</p> <p>7 administered by ECFMG?</p> <p>8 A. No.</p> <p>9 Q. Do you know whether Dr. Akoda took such</p> <p>10 an examination?</p> <p>11 A. No.</p> <p>12 Q. Do you know how many times Dr. Akoda</p> <p>13 successfully passed the ECFMG examinations?</p> <p>14 A. No.</p> <p>15 Q. Do you know under which names Dr. Akoda</p> <p>16 took the ECFMG examinations?</p> <p>17 A. No.</p> <p>18 Q. Do you know whether Dr. Akoda was</p> <p>19 certified by ECFMG?</p> <p>20 A. No.</p> <p>21 Q. Do you have any information regarding</p>	<p style="text-align: right;">Page 36</p> <p>1 MS. CLARY: I'm going to object, and she</p> <p>2 can certainly answer just yes or no.</p> <p>3 MR. CATHELL: Right.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. CATHELL:</p> <p>6 Q. And are you a -- to your knowledge, are</p> <p>7 you a class Plaintiff in that lawsuit?</p> <p>8 A. Yes.</p> <p>9 Q. Have you been deposed in that lawsuit?</p> <p>10 A. I'm sorry?</p> <p>11 Q. I assume -- you told me earlier you</p> <p>12 haven't sat for a deposition, but -- so I assume</p> <p>13 you have not been deposed in that lawsuit</p> <p>14 yet, --</p> <p>15 A. No.</p> <p>16 Q. -- correct? Is what you know about</p> <p>17 Dr. Akoda limited to what information your Counsel</p> <p>18 has provided you?</p> <p>19 A. Yes.</p> <p>20 Q. Do you have any evidence outside of what</p> <p>21 your Counsel has advised you about Dr. Akoda?</p>
<p style="text-align: right;">Page 35</p> <p>1 what occurred with Dr. Akoda's ECFMG</p> <p>2 certifications?</p> <p>3 A. No.</p> <p>4 Q. Are you aware of a lawsuit pending in the</p> <p>5 United States Federal District Court in</p> <p>6 Philadelphia against ECFMG regarding their</p> <p>7 certification of Dr. Akoda?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. What is your knowledge of that</p> <p>10 lawsuit?</p> <p>11 A. What is my knowledge of that lawsuit?</p> <p>12 Q. I can rephrase. Are you -- are you a</p> <p>13 Plaintiff in that lawsuit?</p> <p>14 A. Yes.</p> <p>15 Q. And we're not -- I'm not going to get</p> <p>16 into what you know as a result of conversations</p> <p>17 with your attorneys, but I just want to explore</p> <p>18 peripherally.</p> <p>19 Are you represented by the law</p> <p>20 firm -- law firm, Schochor, Federico and Staton, in</p> <p>21 that lawsuit?</p>	<p style="text-align: right;">Page 37</p> <p>1 A. No.</p> <p>2 Q. How did you -- and, again, no discussions</p> <p>3 with your attorneys. How did you come to be a</p> <p>4 client of the Schochor, Federico and Staton law</p> <p>5 firm regarding this claim and the Philadelphia</p> <p>6 claim?</p> <p>7 MS. CLARY: I'm going to object and</p> <p>8 instruct her not to answer anything with respect to</p> <p>9 not just discussions that we had, but contacts that</p> <p>10 she had with our office.</p> <p>11 In terms of any discussions that she may</p> <p>12 have had with others not involved or people who are</p> <p>13 not employed by our law firm who may have -- I</p> <p>14 don't want to make a speaking objection. I just</p> <p>15 want her to be clear as to what she can talk about</p> <p>16 and what I'm instructing her not to answer.</p> <p>17 I don't have a problem, and you're -- I</p> <p>18 want you to answer the question with respect to how</p> <p>19 somebody told you about Dr. Akoda and how you</p> <p>20 were -- how you got in touch with us, but once the</p> <p>21 phone call or whatever that first contact was with</p>

<p style="text-align: right;">Page 38</p> <p>1 us, anything from that point forward, I'm going to</p> <p>2 instruct you not to answer.</p> <p>3 THE WITNESS: Okay.</p> <p>4 MR. CATHELL: So, one second. Note our</p> <p>5 response from the prior depositions.</p> <p>6 BY MR. CATHELL:</p> <p>7 Q. Let me ask you a more pointed question,</p> <p>8 understanding Counsel's objection, which we needed</p> <p>9 to get on the record.</p> <p>10 What caused you to first reach out to the</p> <p>11 Schochor, Federico and Staton law firm?</p> <p>12 A. Well, a friend of mine called me and told</p> <p>13 me about the situation. So, she gave me the</p> <p>14 number. She said, I need you to call this number.</p> <p>15 So, I asked her why? Whose number is this? So,</p> <p>16 she said, you just need to know that Dr. Akoda is</p> <p>17 not a doctor. Call this number. So, that's when I</p> <p>18 called the number.</p> <p>19 Q. Okay. You can stop there based on</p> <p>20 Counsel's objection. Who was -- what's the name of</p> <p>21 your friend that called you?</p>	<p style="text-align: right;">Page 40</p> <p>1 she was talking about. So, she said, if you don't</p> <p>2 believe me, you can look it up. That's when I</p> <p>3 Googled it, and that's when I read everything that</p> <p>4 the news had provided.</p> <p>5 Q. Do you know how Ms. Gaymon knew that you</p> <p>6 had been a patient of Dr. Akoda's?</p> <p>7 A. We met at the patient's -- at the office.</p> <p>8 Q. Okay. So, you met at the office in 2014</p> <p>9 and remained friends, or at least acquaintances,</p> <p>10 since --</p> <p>11 A. Yes.</p> <p>12 Q. -- that time? And do you recall what you</p> <p>13 saw when you Googled the allegations? Was it a</p> <p>14 specific website, a video, or advertisement?</p> <p>15 A. It was the news. It was FOX, NBC. They</p> <p>16 had different links about how Dr. Akoda wasn't a</p> <p>17 real doctor, and his name wasn't really Akoda.</p> <p>18 Q. How long between the time Ms. Gaymon</p> <p>19 called you did you call the number that she gave</p> <p>20 you?</p> <p>21 A. Two days after.</p>
<p style="text-align: right;">Page 39</p> <p>1 THE WITNESS: Am I allowed to say it?</p> <p>2 MS. CLARY: Yes.</p> <p>3 THE WITNESS: Latisa.</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. Is that Latisa Gaymon?</p> <p>6 A. Yes.</p> <p>7 Q. Are you aware that Ms. Gaymon is also a</p> <p>8 Plaintiff in this lawsuit?</p> <p>9 A. Yes.</p> <p>10 Q. And when did Dr. -- Ms. Gaymon call you,</p> <p>11 if you recall?</p> <p>12 A. Some time in late 2018.</p> <p>13 Q. Late 2018?</p> <p>14 A. Some time in 2018. I can't really</p> <p>15 remember the exact month.</p> <p>16 Q. And I know you told me that she said that</p> <p>17 you needed to call a certain telephone number and</p> <p>18 that she told you about the situation. Can you be</p> <p>19 more specific as to what she told you?</p> <p>20 A. She told me that Dr. Akoda wasn't a real</p> <p>21 doctor, and I was confused, and I didn't know what</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. Prior to this statement from your friend,</p> <p>2 or the telephone call from your friend, you had no</p> <p>3 prior -- you had no -- strike all of that.</p> <p>4 Prior to the statement or the telephone</p> <p>5 call by your friend, you had no prior complaints</p> <p>6 about Dr. Akoda; is that correct?</p> <p>7 A. Complaints? Like how complaints? Like</p> <p>8 formal complaints?</p> <p>9 Q. How -- how do you define complaints?</p> <p>10 MS. CLARY: I'm going to object to the</p> <p>11 form of the question. You can answer as best you</p> <p>12 can.</p> <p>13 THE WITNESS: Okay. I did have a couple</p> <p>14 of -- of complaints and concern. When I was being</p> <p>15 seen by him, he was flirtatious and inappropriate.</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. And we'll explore this more in a bit.</p> <p>18 Anything other than being flirtatious or being</p> <p>19 inappropriate?</p> <p>20 A. No.</p> <p>21 Q. Had you -- had you made those formal</p>



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<p>1 complaints to anybody?</p> <p>2 A. To one of the nurses at the -- the</p> <p>3 doctor's office.</p> <p>4 Q. And which doctor's office was that?</p> <p>5 Dr. Chaudry's?</p> <p>6 A. Dr. Chaudry's.</p> <p>7 Q. And do you remember the identity of the</p> <p>8 nurse?</p> <p>9 A. She was an African American.</p> <p>10 Q. Older? Younger?</p> <p>11 A. Older.</p> <p>12 Q. Short hair? Long hair?</p> <p>13 A. Older.</p> <p>14 Q. Older.</p> <p>15 A. Short hair.</p> <p>16 Q. Did she speak with an accent, do you</p> <p>17 know?</p> <p>18 A. No, she did not.</p> <p>19 Q. Did she have glasses?</p> <p>20 A. No, she did not.</p> <p>21 Q. And what was your specific complaint to</p>	<p>1 breasts?</p> <p>2 A. Two occasions.</p> <p>3 Q. And do you remember the date of those</p> <p>4 statements?</p> <p>5 A. No, I do not remember the dates.</p> <p>6 Q. And on how many occasions was he very</p> <p>7 flirtatious, what you've described as telling you,</p> <p>8 you look nice or that he wants to marry you or</p> <p>9 other flirtatious behavior?</p> <p>10 A. It was two or three times.</p> <p>11 Q. Were those on the same dates as when he</p> <p>12 told you you had very nice breasts?</p> <p>13 A. A week apart.</p> <p>14 Q. And when did you bring this to the</p> <p>15 attention of the nurse in Dr. Chaudry's office?</p> <p>16 A. The first time that he said that I had</p> <p>17 nice breasts, I brought it to her attention. I</p> <p>18 also requested a female nurse while I was getting</p> <p>19 my check-ups.</p> <p>20 Q. Do you recall the date that you told the</p> <p>21 nurse?</p>
Page 43	Page 45
<p>1 this nurse?</p> <p>2 A. That he was very flirtatious, and when I</p> <p>3 was getting my breasts examined, he would make</p> <p>4 comments and say that I have wonderful breasts.</p> <p>5 Q. Can you describe what you mean by</p> <p>6 flirtatious?</p> <p>7 MS. CLARY: Objection to the extent I</p> <p>8 think she covered that, but go ahead.</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. To the extent you haven't covered it, do</p> <p>11 you have anything else to further describe what you</p> <p>12 mean by very flirtatious?</p> <p>13 A. He would be very flirtatious as in, oh,</p> <p>14 you look very nice today. You should marry me one</p> <p>15 day. At first, I thought it was like a joke, but</p> <p>16 then, you know, he would constantly say comments</p> <p>17 like that. And when he said, oh, you have really</p> <p>18 nice breasts, that's when I was like, okay,</p> <p>19 this -- this is not professional.</p> <p>20 Q. On how many occasions -- on how many</p> <p>21 occasions did he tell you you had very nice</p>	<p>1 A. No, I do not recall the date.</p> <p>2 Q. After telling the nurse in Dr. Chaudry's</p> <p>3 office of the statement, what happened?</p> <p>4 Did -- were you given a female nurse while being</p> <p>5 examined?</p> <p>6 A. Yes. She would be in the -- in the room.</p> <p>7 Q. And is it fair to say that your only</p> <p>8 involvement with this specific nurse would have</p> <p>9 been in Dr. Chaudry's office?</p> <p>10 A. Yes.</p> <p>11 Q. Did you report the inappropriate behavior</p> <p>12 to anyone other than the nurse in Dr. Chaudry's</p> <p>13 office?</p> <p>14 A. No.</p> <p>15 Q. Did the in- -- alleged inappropriate</p> <p>16 touching or statements occur in the presence of any</p> <p>17 other individual? Bless you.</p> <p>18 A. No. Bless you.</p> <p>19 MS. CLARY: Sorry.</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. And did they occur in the examination</p>

<p style="text-align: right;">Page 46</p> <p>1 room?</p> <p>2 A. Yes.</p> <p>3 Q. At -- at Dr. Chaudry's office?</p> <p>4 A. That's correct.</p> <p>5 Q. So, it's fair to say there were no</p> <p>6 witnesses to the inappropriate statements or</p> <p>7 touching?</p> <p>8 A. No.</p> <p>9 Q. Do you know whether there was any type of</p> <p>10 recording, whether it's an audio recording or video</p> <p>11 recording, of the inappropriate statements or</p> <p>12 touching?</p> <p>13 A. I'm not -- I'm not sure.</p> <p>14 Q. You've told me that you reported that</p> <p>15 Dr. Akoda commented on your breasts, and the first</p> <p>16 time you told the nurse in Dr. Chaudry's office; is</p> <p>17 that correct?</p> <p>18 A. That's correct.</p> <p>19 Q. And you also told me that that behavior</p> <p>20 continued, I believe, two to three times; is that</p> <p>21 correct?</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. CATHELL: And our -- our response,</p> <p>2 just for the record, I don't think we've covered</p> <p>3 this one, is that it is just soliciting counsel.</p> <p>4 I'm not trying to get into the specific initial</p> <p>5 conversation, just the action of deciding to retain</p> <p>6 counsel or to investigate a potential claim, but I</p> <p>7 note your objection, and we'll move on.</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. Were you ever -- strike that.</p> <p>10 Did you ever make a claim for the alleged</p> <p>11 inappropriate statement or contact of any kind?</p> <p>12 MS. CLARY: Objection. Outside of this</p> <p>13 litigation?</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. Outside of this litigation?</p> <p>16 A. No.</p> <p>17 Q. And I believe I asked you this, but --</p> <p>18 so, I apologize if I'm asking it again. Do you</p> <p>19 know the name of the nurse?</p> <p>20 A. No, I do not.</p> <p>21 Q. Do you have any evidence that Dr. Akoda</p>
<p style="text-align: right;">Page 47</p> <p>1 A. That's correct.</p> <p>2 Q. Did you continue to report the</p> <p>3 inappropriate conduct to the nurse or to anyone</p> <p>4 else?</p> <p>5 A. Well, the nurse wasn't always there every</p> <p>6 time I saw Dr. Akoda. Sometimes she would be</p> <p>7 there; sometimes she would not be there.</p> <p>8 Q. Did any of the alleged inappropriate</p> <p>9 behavior -- behavior occur while the nurse was in</p> <p>10 the examination room?</p> <p>11 A. No.</p> <p>12 Q. Again, without discussing specific</p> <p>13 conversations that you may or may not have had with</p> <p>14 an attorney, did you make an effort to reach out to</p> <p>15 an attorney to investigate the -- what you've</p> <p>16 described as the inappropriate statements or</p> <p>17 touching?</p> <p>18 MS. CLARY: I'm going to object and</p> <p>19 instruct her not to answer to the extent I believe</p> <p>20 that's covered by the attorney/client privilege and</p> <p>21 work product doctrine.</p>	<p style="text-align: right;">Page 49</p> <p>1 lacked OB/GYN training or skills?</p> <p>2 MS. CLARY: Objection to the extent I</p> <p>3 think it's been asked and answered, but go ahead</p> <p>4 again.</p> <p>5 THE WITNESS: No.</p> <p>6 BY MR. CATHELL:</p> <p>7 Q. How did you become aware of Dr. Akoda as</p> <p>8 an OB/GYN?</p> <p>9 A. I was referred to Dr. Chaudry's office.</p> <p>10 Q. And what were the circumstances under</p> <p>11 which you were referred to Dr. Chaudry's office?</p> <p>12 MS. CLARY: Objection to the extent I</p> <p>13 think she has talked about it, but you can go ahead</p> <p>14 again.</p> <p>15 THE WITNESS: The female OB/GYN that I</p> <p>16 was seeing at first, she only covered the first few</p> <p>17 months of the pregnancy, so she referred me to</p> <p>18 Dr. Chaudry's office. I thought I was going to see</p> <p>19 Dr. Chaudry, but that's when all of my visits were</p> <p>20 with Dr. Akoda.</p> <p>21 BY MR. CATHELL:</p>

Page 50	Page 52
<p>1 Q. Okay. And did you ever see Dr. Chaudry</p> <p>2 during that time?</p> <p>3 A. No.</p> <p>4 Q. I should ask a better question. Were you</p> <p>5 ever cared for or treated by Dr. Chaudry during</p> <p>6 that time?</p> <p>7 A. Once at the hospital, after I had my</p> <p>8 emergency surgery, he came to remove the bandages.</p> <p>9 Q. And that would have been the postpartum</p> <p>10 surgical procedure that you underwent?</p> <p>11 A. No. It was complications after I had my</p> <p>12 son.</p> <p>13 Q. I know you told me your first contact</p> <p>14 with Dr. Akoda would have been in April or May of</p> <p>15 2014, correct?</p> <p>16 A. (Nodding head yes.)</p> <p>17 Q. And I -- may I assume that that first</p> <p>18 contact occurred at the office of Dr. Chaudry?</p> <p>19 A. Correct.</p> <p>20 Q. And on the first date that you presented</p> <p>21 to Dr. Chaudry, after being referred by your prior</p>	<p>1 MR. CATHELL: Any.</p> <p>2 MS. CLARY: Okay. Thank you.</p> <p>3 THE WITNESS: Any? Geez, it was a few,</p> <p>4 because after I had my son, I went for my</p> <p>5 six -- six-week check-up with Dr. Akoda.</p> <p>6 BY MR. CATHELL:</p> <p>7 Q. Do you recall what Dr. Akoda looked like?</p> <p>8 A. Yes. African male. He was about I will</p> <p>9 say 6'1", older, glasses.</p> <p>10 Q. Okay. Thank you. Do you -- do you</p> <p>11 recall what Dr. Akoda sounded like?</p> <p>12 A. Strong accent.</p> <p>13 Q. Other than what you've told me about as</p> <p>14 far as the inappropriate statements or touching, do</p> <p>15 you have any inter- -- are there any interactions</p> <p>16 with Dr. Akoda that we -- that you have a specific</p> <p>17 memory of that we haven't discussed?</p> <p>18 A. No. Not including the delivery, right?</p> <p>19 Q. Well, just including everything.</p> <p>20 A. Okay.</p> <p>21 Q. I guess what I'm -- I', trying to get at,</p>
Page 51	Page 53
<p>1 OB/GYN, were you seen by Dr. Akoda?</p> <p>2 A. I was.</p> <p>3 Q. And how often, following that initial</p> <p>4 visit, were you seen by Dr. Akoda?</p> <p>5 A. It started every month, and then it was</p> <p>6 every week.</p> <p>7 Q. When did it become every week, if you</p> <p>8 recall?</p> <p>9 A. Around August/October.</p> <p>10 Q. So, leading up to as you became -- as it</p> <p>11 became closer to delivery time, that's when you</p> <p>12 started seeing Dr. Akoda every week, is that fair?</p> <p>13 A. That's correct.</p> <p>14 Q. And it's my understanding from your</p> <p>15 medical records that all of your contacts with</p> <p>16 Dr. Akoda, prior to the actual birth of Jaiden,</p> <p>17 were at Dr. Chaudry's office; is that correct?</p> <p>18 A. That's correct.</p> <p>19 Q. Do you know approximately how many times</p> <p>20 you received treatment from Dr. Akoda?</p> <p>21 MS. CLARY: Prenatally?</p>	<p>1 are there any interactions that you had with</p> <p>2 Dr. Akoda prior to delivery of Jaiden that we have</p> <p>3 not discussed?</p> <p>4 A. My six-week check-up, he did a procedure</p> <p>5 at Dr. Chaudry's office. He said I had an ovarian</p> <p>6 cyst, and he did a procedure right there at the</p> <p>7 office where he burned it.</p> <p>8 Q. And this would have been your six-week</p> <p>9 postpartum check-up?</p> <p>10 A. Yeah. Yes, sir. That's the last time I</p> <p>11 saw him.</p> <p>12 Q. Had you been having symptoms or signs of</p> <p>13 an ovarian cyst?</p> <p>14 A. No.</p> <p>15 Q. What evidence do you have that Dr. Akoda</p> <p>16 was affiliated with the Prince George's County</p> <p>17 Hospital Center?</p> <p>18 A. My birth band. The band they give you at</p> <p>19 the hospital.</p> <p>20 Q. And do you still have that?</p> <p>21 A. I sure do.</p>

<p style="text-align: right;">Page 54</p> <p>1 Q. And if it's possible, I would ask that</p> <p>2 we -- you provide that to your Counsel so we can</p> <p>3 have a copy of it, okay?</p> <p>4 A. Okay.</p> <p>5 MS. CLARY: Okay. That's fine. We'll</p> <p>6 make a copy of it so she can keep it for</p> <p>7 sentimental reasons.</p> <p>8 MR. CATHELL: Yes. That's what I said,</p> <p>9 copy.</p> <p>10 MS. CLARY: Sure.</p> <p>11 MR. CATHELL: I know we have ours framed</p> <p>12 and the whole nine yards.</p> <p>13 BY MR. CATHELL:</p> <p>14 Q. What about -- what information was on the</p> <p>15 birth band that led you to believe Dr. Akoda was</p> <p>16 affiliated with the hospital?</p> <p>17 A. Well, his name was on it. His name was</p> <p>18 on it.</p> <p>19 Q. And do you recall the specific date that</p> <p>20 you presented to Prince George's County Hospital to</p> <p>21 deliver Jaiden?</p>	<p style="text-align: right;">Page 56</p> <p>1 Consent Form, marked for identification.)</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Okay. I'm showing you a two-page</p> <p>4 document that is dated September 16, 2014, and the</p> <p>5 exhibit sticker is on the first page. If you'll</p> <p>6 take a look at that document for me.</p> <p>7 MS. CLARY: That's the first page.</p> <p>8 That's the second page.</p> <p>9 (Whereupon, there was a pause for</p> <p>10 document examination.)</p> <p>11 BY MR. CATHELL:</p> <p>12 Q. And --</p> <p>13 A. Okay.</p> <p>14 Q. Could I have that back real quick?</p> <p>15 (Document tendered.)</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. I couldn't see from where I'm sitting.</p> <p>18 Is the -- is this your signature on the document</p> <p>19 towards the bottom left of the second page?</p> <p>20 A. Yes.</p> <p>21 Q. And on the first page, there's a</p>
<p style="text-align: right;">Page 55</p> <p>1 A. September 13, 2014.</p> <p>2 Q. And what caused you to go to the hospital</p> <p>3 at that time?</p> <p>4 A. I was getting induced.</p> <p>5 Q. And, to your knowledge, who made the</p> <p>6 decision -- the medical decision to induce you?</p> <p>7 A. Dr. Akoda.</p> <p>8 Q. And did Dr. Akoda, in fact, induce you on</p> <p>9 September 13, 2014?</p> <p>10 A. Yes.</p> <p>11 Q. And when you presented to the hospital,</p> <p>12 throughout the course of your care, do you recall</p> <p>13 being presented with various consent forms that you</p> <p>14 ultimately read and signed?</p> <p>15 A. Yes, I remember them.</p> <p>16 MR. CATHELL: Can I see your Answers to</p> <p>17 Interrogatories?</p> <p>18 (Document tendered.)</p> <p>19 MR. CATHELL: I want to make sure my</p> <p>20 Exhibit Numbers are correct.</p> <p>21 (Whereupon, Powell Deposition Exhibit 2,</p>	<p style="text-align: right;">Page 57</p> <p>1 paragraph at top -- at the top that is titled</p> <p>2 Physicians Not as Employees, is that -- are those</p> <p>3 your initials at the end of that paragraph?</p> <p>4 A. Yes.</p> <p>5 Q. And did you read through this document</p> <p>6 and understand its consents prior to signing it?</p> <p>7 A. No. I'm not even going to lie. I did</p> <p>8 not read it. They just said without it, if you</p> <p>9 didn't sign it, they can't -- they couldn't give me</p> <p>10 the -- the care that I needed. And I was just</p> <p>11 thinking about the care, and I needed to deliver my</p> <p>12 baby, so I just signed it.</p> <p>13 (Whereupon, Deposition Exhibit Number 3,</p> <p>14 Consent Form, marked for identification.)</p> <p>15 BY MR. CATHELL:</p> <p>16 Q. I'm handing you a three-page document</p> <p>17 that is labeled Exhibit 3. On the first page, you</p> <p>18 would agree those are your initials on the</p> <p>19 left-hand column of that document?</p> <p>20 A. Okay.</p> <p>21 Q. Is that a yes or no?</p>



<p style="text-align: right;">Page 58</p> <p>1 A. Yes. That's a yes.</p> <p>2 Q. On the second page, you would agree those</p> <p>3 are your initials and your signature in two</p> <p>4 locations on the document?</p> <p>5 A. Yes.</p> <p>6 Q. And the third page I'm just putting in</p> <p>7 for completeness, but it doesn't have your</p> <p>8 signature.</p> <p>9 And, again, I apologize for all of the</p> <p>10 exhibits, but Exhibit Number 4 is a three-page</p> <p>11 document labeled Deposition Exhibit 4.</p> <p>12 (Whereupon, Powell Deposition Exhibit 4,</p> <p>13 Consent Form, marked for identification.)</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. It's a three-page document, and you would</p> <p>16 agree that it is your signature on the third page</p> <p>17 in the upper right-hand corner?</p> <p>18 MS. CLARY: I'm sorry, it's on the third</p> <p>19 page?</p> <p>20 MR. CATHELL: Yes.</p> <p>21 THE WITNESS: Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1 County Hospital Center, okay?</p> <p>2 A. Yes.</p> <p>3 THE VIDEOGRAPHER: Brian, your mic.</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. We had just been talking about what</p> <p>6 evidence you had, if any, regarding Dr. Akoda's</p> <p>7 affiliation with the Prince George's County</p> <p>8 Hospital Center, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And you mentioned the birth band that you</p> <p>11 were given when you first presented to deliver</p> <p>12 Jaiden?</p> <p>13 A. Correct.</p> <p>14 Q. Do you have any additional evidence</p> <p>15 regarding Dr. Akoda's affiliation with Prince</p> <p>16 George's County Hospital Center?</p> <p>17 A. Besides the band, that is it.</p> <p>18 Q. Was Dr. Akoda the first doctor you came</p> <p>19 in contact with when you first made it to Prince</p> <p>20 George's County Hospital Center on the 13th of</p> <p>21 September?</p>
<p style="text-align: right;">Page 59</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. Are you okay? Do you need a break?</p> <p>3 A. No. I'm good.</p> <p>4 MS. CLARY: I might need one in a few</p> <p>5 minutes. I don't want to interrupt you.</p> <p>6 MR. CATHELL: Now would be perfect.</p> <p>7 MS. CLARY: If you get -- have a good</p> <p>8 stopping point.</p> <p>9 MR. CATHELL: Now would be perfect.</p> <p>10 THE VIDEOGRAPHER: This marks the end of</p> <p>11 media unit number one. Going off record. The time</p> <p>12 is 10:59 a m.</p> <p>13 (Recess taken -- 10:59 a m.)</p> <p>14 (After recess -- 11:07 a m.)</p> <p>15 THE VIDEOGRAPHER: This marks the</p> <p>16 beginning of media unit number two. Going back on</p> <p>17 record. The time is 11:07 a m.</p> <p>18 BY MR. CATHELL:</p> <p>19 Q. Ms. Powell, do you have -- we had just</p> <p>20 been talking about what evidence you have that</p> <p>21 Dr. Akoda was affiliated with the Prince George's</p>	<p style="text-align: right;">Page 61</p> <p>1 A. Yes.</p> <p>2 Q. And I assume that was because it was a</p> <p>3 planned induction, correct?</p> <p>4 A. Correct.</p> <p>5 Q. When you were seen by Dr. Akoda in</p> <p>6 Dr. Chaudry's office, was there anything in the</p> <p>7 office that led you to believe that Dr. Akoda was</p> <p>8 affiliated with the hospital?</p> <p>9 A. No.</p> <p>10 Q. So, you understood that Dr. Akoda was in</p> <p>11 private practice, correct?</p> <p>12 MS. CLARY: Objection. You can answer.</p> <p>13 THE WITNESS: No, I did not know.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. Following the first alleged inappropriate</p> <p>16 action by Dr. Akoda when you were seeing him at</p> <p>17 Dr. Chaudry's office, how many times did</p> <p>18 you -- approximately how many times did you see</p> <p>19 Dr. Akoda after that?</p> <p>20 A. After that, it's a few -- a few times</p> <p>21 after that.</p>

Page 62	Page 64
<p>1 Q. Is it fair to classify those visits as</p> <p>2 prenatal visits?</p> <p>3 A. Yes.</p> <p>4 Q. Did Dr. Akoda perform vaginal</p> <p>5 examinations during those visits?</p> <p>6 A. Yes.</p> <p>7 Q. Did you find those examinations</p> <p>8 inappropriate in any way?</p> <p>9 A. No. I believed they were normal routine.</p> <p>10 Q. Is it fair to say that you never</p> <p>11 discussed with Dr. Akoda the subject of hospital</p> <p>12 privileges?</p> <p>13 A. No.</p> <p>14 Q. That was a bad question. Did you ever</p> <p>15 discuss with Dr. Akoda the subject of hospital</p> <p>16 privileges?</p> <p>17 A. No.</p> <p>18 Q. Did you ever ask to see Dr. Akoda's</p> <p>19 driver's license?</p> <p>20 A. No.</p> <p>21 Q. Or his passport?</p>	<p>1 coming to Prince George's County Hospital Center on</p> <p>2 September 13, 2014?</p> <p>3 A. No.</p> <p>4 Q. And tell me why not, if it's a reason</p> <p>5 that we haven't already discussed.</p> <p>6 A. The reason we discussed.</p> <p>7 Q. And that would be -- I assume that would</p> <p>8 be the alleged inappropriate statements and</p> <p>9 touching?</p> <p>10 A. Correct.</p> <p>11 Q. Putting those aside, but not intending to</p> <p>12 mitigate those in any way or minimize those, were</p> <p>13 you satisfied with the medical services that</p> <p>14 Dr. Akoda provided to you prior to September 2014?</p> <p>15 A. Yes.</p> <p>16 (Whereupon, Powell Deposition Exhibit 5,</p> <p>17 Birth Band, marked for identification.)</p> <p>18 BY MR. CATHELL:</p> <p>19 Q. And you've been kind enough to provide us</p> <p>20 with a color picture of the birth band that you</p> <p>21 described. I've marked it as Exhibit 5. If I can</p>
Page 63	Page 65
<p>1 A. No.</p> <p>2 Q. I assume you never asked Dr. Akoda if he</p> <p>3 had any other names?</p> <p>4 A. No.</p> <p>5 Q. Did you see Dr. Akoda interact with staff</p> <p>6 in any inappropriate way?</p> <p>7 A. No. I didn't pay attention.</p> <p>8 Q. You would agree that the delivery of</p> <p>9 Jaiden was performed successfully?</p> <p>10 A. The delivery, yes. After the delivery,</p> <p>11 no.</p> <p>12 Q. I'm going to get there. I've looked</p> <p>13 through your medical records, and I promise that</p> <p>14 I'll get there, okay?</p> <p>15 A. (Nodding head yes.)</p> <p>16 Q. Were you satisfied with the medical</p> <p>17 services that Dr. Akoda provided to you in</p> <p>18 delivering Jaiden?</p> <p>19 A. Yes.</p> <p>20 Q. Were you satisfied with the medical</p> <p>21 services that Dr. Akoda provided to you prior to</p>	<p>1 show it to you, and you can just briefly tell us</p> <p>2 what it is for the record?</p> <p>3 A. It's my hospital band of when I went to</p> <p>4 deliver Jaiden.</p> <p>5 Q. All right. I was asking you about the</p> <p>6 delivery, and you started to tell me that you</p> <p>7 were -- you may have had a complication following</p> <p>8 the delivery. Can you tell us what that was?</p> <p>9 A. After I had Jaiden, I noticed that I was</p> <p>10 bleeding out of the normal. So, I panicked, and I</p> <p>11 asked the nurse if she could please get the doctor,</p> <p>12 Dr. Akoda.</p> <p>13 So, she got him, and when he -- when he</p> <p>14 came in, I explained to him that I was gushing out.</p> <p>15 It was going through the sheets and in the hospital</p> <p>16 bed, and I also had big blood clots.</p> <p>17 So, he examined me, and he kept saying,</p> <p>18 I'm sorry. I should have detected it sooner. I'm</p> <p>19 so sorry. I'm so sorry. So, I was confused of</p> <p>20 what was going on, and he told me he was going to</p> <p>21 rush me to the OR. I was going to get surgery. I</p>

<p style="text-align: right;">Page 66</p> <p>1 was crying, devastated because I didn't know what  2 was going to happen with my son, and I didn't know  3 what was going to happen to me. I didn't know -- I  4 didn't know what was going on.  5 So, then there was this hospital employee  6 pushing me in the bed down to the OR, and I was put  7 to sleep. When I woke up, I had tubes everywhere.  8 I couldn't talk. I was crying.  9 Then -- probably like 30 minutes after,  10 then they took me to my room, and I remember the  11 same guy that rode me down to the OR told me that I  12 had lost a lot of blood and that they had -- they  13 did remove all of the blood clots, that they were  14 big, and that they did remove them all, but I did  15 lose a lot of blood.  16 Q. And if I told you the name of that  17 medical procedure was the suction curettage, would  18 that -- does that ring a bell?  19 A. No.  20 Q. And do you recall what date that occurred  21 on?</p>	<p style="text-align: right;">Page 68</p> <p>1 correct.  2 Q. And it's my understanding from reading  3 the medical records that when you were discharged,  4 you had no ongoing signs or symptoms of -- of  5 hemorrhage or of any other injury; is that correct?  6 A. That's correct.  7 Q. Has a medical provider, meaning a doctor,  8 nurse, P.A., what have you, ever told you that  9 Dr. Akoda performed the delivery of Jaiden in a  10 manner that did not comply with the standard of  11 care?  12 A. No.  13 Q. Did Dr. -- has any medical provider ever  14 told you that Dr. Akoda's postpartum care, so in  15 the days after you gave birth to Jaiden, but before  16 you were discharged, has any medical provider told  17 you that Dr. Akoda's care of you during that time  18 did not comply with the standard of care?  19 A. No.  20 Q. You would agree that you did not have any  21 permanent injury as a result of the care provided</p>
<p style="text-align: right;">Page 67</p> <p>1 A. It was the same day I delivered.  2 Q. The same day or the next day?  3 A. September -- I believe it was the same  4 day, September 14.  5 Q. Just for completeness, I'll hand you  6 the -- what I'll proffer are the consent forms for  7 the curettage, which I have marked as Exhibit 6.  8 (Whereupon, Powell Deposition Exhibit 6,  9 Consent Form, marked for identification.)  10 BY MR. CATHELL:  11 Q. It's a two-page document. Will you agree  12 or would you agree that in the middle of both  13 pages, it -- that is your signature, please?  14 A. Yes.  15 Q. Yes as to both pages?  16 A. Yes as to both pages.  17 Q. Thank you. And it's my understanding  18 from your medical record that, despite what you've  19 just described, you made a full recovery and were  20 discharged on September 19th; is that correct?  21 A. The 19th? Yes, that's correct. That is</p>	<p style="text-align: right;">Page 69</p> <p>1 to you by Dr. Akoda during your admission to Prince  2 George's County Hospital Center in September of  3 2014?  4 A. No.  5 Q. You would not agree?  6 A. I -- besides trust issues, no, nothing  7 medical.  8 Q. Between the time you were discharged in  9 September of 2014 and the time you received the  10 telephone call from Latisa Gaymon, had you  11 sustained any injury as a result of the care  12 provided to you by Dr. Akoda?  13 A. No, no injuries.  14 Q. So, it's my understanding, just so the  15 record is clear, that it is your claim that when  16 you learned of the allegations regarding  17 Dr. Akoda's license or credentialing from Latisa  18 Gaymon is when you first occurred -- incurred the  19 injury, correct?  20 A. I'm sorry?  21 Q. It's my understanding that the -- the</p>

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<p>1 telephone call to you from Latisa Gaymon is when</p> <p>2 you first suffered the injury as a result of the</p> <p>3 allegations surrounding Dr. Akoda?</p> <p>4 A. Yes.</p> <p>5 Q. When you first chose him as your</p> <p>6 physician or when you -- strike that.</p> <p>7 When you continued to see Dr. Akoda, were</p> <p>8 you aware of his privileging status?</p> <p>9 A. No.</p> <p>10 Q. Did you do any research on his skills and</p> <p>11 abilities?</p> <p>12 A. No.</p> <p>13 Q. Nothing he did during his care made you</p> <p>14 feel he was not qualified or cared for you or</p> <p>15 qualified to care for you appropriately, correct?</p> <p>16 A. No. Correct.</p> <p>17 Q. At no time did you fire him as a</p> <p>18 physician, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. Do you accuse Dr. Akoda of any failure to</p> <p>21 properly render medical care to you or your baby?</p>	<p>1 Q. There is an -- a medical doctor involved</p> <p>2 in this litigation named Dr. Susan Fiester. Are</p> <p>3 you familiar with Dr. Fiester?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And did you meet with Dr. Fiester?</p> <p>6 A. Phone.</p> <p>7 Q. Meaning a telephone call?</p> <p>8 A. Yes.</p> <p>9 Q. And do you recall when that occurred?</p> <p>10 A. February.</p> <p>11 Q. Of 2019?</p> <p>12 A. 2019.</p> <p>13 Q. Are you okay?</p> <p>14 A. Yes. February or January 2019.</p> <p>15 Q. And do you recall how long the telephone</p> <p>16 call was?</p> <p>17 A. I do not recall.</p> <p>18 Q. Was it hours, minutes? You just have no</p> <p>19 recollection?</p> <p>20 A. No recollection.</p> <p>21 Q. Where were you when you made the -- when</p>
Page 71	Page 73
<p>1 I think we covered that. You would agree your</p> <p>2 answer to that would be no?</p> <p>3 A. No. No.</p> <p>4 MS. CLARY: She said no.</p> <p>5 BY MR. CATHELL:</p> <p>6 Q. I'm sorry. I thought you said oh.</p> <p>7 MS. CLARY: You didn't get that nnh in</p> <p>8 there.</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. Do you know of anyone else accusing</p> <p>11 Dr. Akoda of any sexual -- of any sexual</p> <p>12 impropriety or have any information of any kind on</p> <p>13 that subject, other than what we've discussed?</p> <p>14 A. No.</p> <p>15 Q. And you -- I believe you told me your</p> <p>16 last visit with Dr. Akoda was your six-week</p> <p>17 postpartum visit, correct?</p> <p>18 A. Correct.</p> <p>19 Q. Have we discussed all of your claims</p> <p>20 against Dr. Akoda for sexual misconduct?</p> <p>21 A. Yes.</p>	<p>1 you talked to Dr. Fiester on the call?</p> <p>2 A. Home.</p> <p>3 Q. Was anyone else present with you?</p> <p>4 A. My two-year-old daughter.</p> <p>5 Q. Were you and Dr. Fiester the only two</p> <p>6 people on the -- on the telephone call?</p> <p>7 A. Yes.</p> <p>8 Q. And did she initiate the call to you?</p> <p>9 A. Yes.</p> <p>10 Q. Do you consider Dr. Fiester to be your</p> <p>11 doctor?</p> <p>12 A. No.</p> <p>13 Q. Did Dr. Fiester provide you with any</p> <p>14 treatment recommendations?</p> <p>15 A. No.</p> <p>16 Q. Did she refer you to any other healthcare</p> <p>17 providers for treatment?</p> <p>18 A. No.</p> <p>19 Q. And I assume she didn't prescribe to you</p> <p>20 any medication, correct?</p> <p>21 A. Correct. She did not.</p>



<p style="text-align: right;">Page 74</p> <p>1 Q. Can you tell me what you recall about the</p> <p>2 telephone interview with Dr. Fiester?</p> <p>3 A. We talked about the situation. She</p> <p>4 mainly asked me how did I feel. She asked me to</p> <p>5 give her a rundown of how was my delivery and</p> <p>6 everything I experienced through the whole process</p> <p>7 when I was under Dr. Akoda's care.</p> <p>8 Q. Did she share with you what any of the</p> <p>9 other Plaintiffs that she had identified -- strike</p> <p>10 that.</p> <p>11 Did she share with you what any of the</p> <p>12 other Plaintiffs that she had interviewed had</p> <p>13 shared with her?</p> <p>14 A. No.</p> <p>15 Q. And in response to the question of how</p> <p>16 did you feel about the situation, which I assume,</p> <p>17 for the record, is the -- are the allegations</p> <p>18 surrounding Dr. Akoda, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. What did you tell her in response to the</p> <p>21 question of how do you feel?</p>	<p style="text-align: right;">Page 76</p> <p>1 A. That's correct.</p> <p>2 Q. Okay. And what did you tell her in</p> <p>3 response to that question?</p> <p>4 A. That I don't -- I don't trust these</p> <p>5 doctors any more. I have a hard time trusting. I</p> <p>6 have a hard time even going to my OB/GYN myself.</p> <p>7 Q. Anything else?</p> <p>8 A. And that I feel kind of violated.</p> <p>9 Q. Anything else? Any other -- strike that.</p> <p>10 Has this impacted you in any other way?</p> <p>11 A. No.</p> <p>12 Q. I don't believe Dr. Fiester diagnosed you</p> <p>13 with any physical or mental illness; is that</p> <p>14 correct?</p> <p>15 A. That's correct.</p> <p>16 Q. Have you read the -- strike that.</p> <p>17 A Complaint in litigation are the papers</p> <p>18 that your attorneys file with the court to start</p> <p>19 the proceedings. With that understanding, have you</p> <p>20 read the Complaint in this case?</p> <p>21 A. Yes.</p>
<p style="text-align: right;">Page 75</p> <p>1 A. I feel betrayed. I feel like I can't</p> <p>2 trust any OB/GYNs any more, or doctors.</p> <p>3 Every time I even take my oldest</p> <p>4 daughter, I have to ask questions, check</p> <p>5 credentials.</p> <p>6 I trusted Dr. Akoda. I trusted him with</p> <p>7 my life. I believed he was real. I was very</p> <p>8 disappointed, and I feel violated.</p> <p>9 Q. And I'm certainly not going to get into</p> <p>10 any specifics regarding your -- your daughter. You</p> <p>11 said you take your daughter to an OB/GYN. Is that</p> <p>12 the same person that -- that you have -- that</p> <p>13 you're scheduled to see?</p> <p>14 A. No. Her -- her doctor.</p> <p>15 Q. Okay.</p> <p>16 A. I'm scared to go to an OB/GYN.</p> <p>17 Q. And I believe the other general question</p> <p>18 that Dr. Fiester was asking, based on her report</p> <p>19 and other information, is -- was how that -- how</p> <p>20 you have been affected as a result of the</p> <p>21 allegations; is that correct?</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. Do you know whether you read the</p> <p>2 Complaint before it was filed?</p> <p>3 A. No.</p> <p>4 Q. Did you read the Complaint before it was</p> <p>5 filed?</p> <p>6 A. What do you mean?</p> <p>7 Q. So, to start the litigation, your</p> <p>8 attorneys would prepare a Complaint, and then to</p> <p>9 actually start the lawsuit, they filed the</p> <p>10 Complaint.</p> <p>11 A. Yes. Yes.</p> <p>12 Q. Okay. So, prior to them actually filing</p> <p>13 it -- and you might not know, but prior to them</p> <p>14 actually filing it, did you read the Complaint?</p> <p>15 A. Yes.</p> <p>16 Q. You did read it?</p> <p>17 A. I looked at it, yes.</p> <p>18 Q. Did you meet with your attorneys before</p> <p>19 the Complaint was filed?</p> <p>20 MS. CLARY: I'm going to object and</p> <p>21 instruct her not to answer that question as it's</p>

<p style="text-align: right;">Page 78</p> <p>1 violative of the attorney/client privilege and work 2 product doctrine.</p> <p>3 MR. CATHELL: Since the -- understanding 4 that, and our response is noted.</p> <p>5 MS. CLARY: Sure.</p> <p>6 BY MR. CATHELL:</p> <p>7 Q. I would also ask you questions about how 8 frequently you had met with your attorneys and how 9 many -- what you discussed as far as filing the 10 Complaint and those allegations.</p> <p>11 It's my understanding that your Counsel 12 would instruct you not to answer, so I respect -- 13 I -- I won't go through all of those questions, 14 but --</p> <p>15 MS. CLARY: I understand that those are 16 questions you would pose. I do have the same 17 objections, and I understand your response is as we 18 have discussed.</p> <p>19 MR. CATHELL: Thank you.</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. Understanding your attorney's objections</p>	<p style="text-align: right;">Page 80</p> <p>1 Q. Do you plan on going to court in terms of 2 any of the remaining hearings in this case?</p> <p>3 A. If my lawyers find it that I need to be 4 there, then, yes.</p> <p>5 Q. Do you know what class certification is?</p> <p>6 A. Yes.</p> <p>7 Q. What is it?</p> <p>8 A. The class action, it's a lawsuit with a 9 group that's been going through the same situation.</p> <p>10 Q. Do you know what causes of action are 11 being asserted in the Complaint?</p> <p>12 MS. CLARY: I'm going to object to the 13 extent that it's calling, the way you phrased it, 14 for a legal conclusion. You can answer the best 15 you can.</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. If you know. Do you know what the causes 18 of action are being -- are being asserted in the 19 Complaint?</p> <p>20 MS. CLARY: Same objection. Go ahead.</p> <p>21 THE WITNESS: Yes.</p>
<p style="text-align: right;">Page 79</p> <p>1 about your contact with them, I'm going to ask you 2 questions about your contact with other Plaintiffs, 3 okay?</p> <p>4 A. Okay.</p> <p>5 Q. Have you at any time -- I know you talked 6 to Latisa Gaymon. Have you at any time talked to 7 any of the other Plaintiffs?</p> <p>8 A. No.</p> <p>9 Q. Okay. Do you know any of the -- the 10 names of any of the other Plaintiffs?</p> <p>11 A. No.</p> <p>12 Q. Have you read any of the other papers 13 that have been filed in this court case?</p> <p>14 A. No, I have not.</p> <p>15 Q. Have you gone to court to any of the 16 hearings that have occurred?</p> <p>17 A. No.</p> <p>18 Q. And why not?</p> <p>19 A. I haven't gone.</p> <p>20 Q. Were you made aware of the hearings?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 81</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. What are those?</p> <p>3 A. I don't recall right now. I'm sorry.</p> <p>4 Q. Do you know what damages the Complaint is 5 seeking?</p> <p>6 MS. CLARY: Same objection as before. 7 You can go ahead and answer if you can.</p> <p>8 THE WITNESS: No, I don't.</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. Do you know -- know the names of the 11 Defendants that you are suing in the case?</p> <p>12 A. Yes, I do know the name.</p> <p>13 Q. And what is the name of the Defendants?</p> <p>14 A. Well, I know because I heard you say it 15 earlier, but I don't -- I don't remember them.</p> <p>16 Q. Have -- have you met with any of the 17 other Plaintiffs?</p> <p>18 A. No.</p> <p>19 Q. Including Latisa Gaymon?</p> <p>20 A. Besides social, if -- that's it.</p> <p>21 Q. When was the last time you were at a</p>


<p style="text-align: right;">Page 82</p> <p>1 social event with Latisa?</p> <p>2 A. It was last Thanksgiving.</p> <p>3 Q. How would you describe the -- the</p> <p>4 relationship between you and Latisa? Are you</p> <p>5 friends, acquaintances, family?</p> <p>6 A. Friends.</p> <p>7 Q. Are you aware that the Complaint is</p> <p>8 asking the court to certify this case as a class</p> <p>9 action?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know what it means to proceed as a</p> <p>12 class action?</p> <p>13 A. Yes.</p> <p>14 Q. And I think you already described your</p> <p>15 understanding, so I'll spare you the follow-up</p> <p>16 question.</p> <p>17 Do you know how many proposed class</p> <p>18 members there are?</p> <p>19 A. No.</p> <p>20 Q. Do you know which law firms represent the</p> <p>21 proposed class members?</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. I'm assuming you are aware that you've</p> <p>2 been designated as a class representative in this</p> <p>3 lawsuit?</p> <p>4 A. Yes.</p> <p>5 Q. You're also aware that you've been</p> <p>6 des- -- actually, I believe you told me you do not</p> <p>7 know if you were designated as a class</p> <p>8 representative in the federal lawsuit, correct?</p> <p>9 MS. CLARY: Objection. I don't think you</p> <p>10 asked her that.</p> <p>11 BY MR. CATHELL:</p> <p>12 Q. Have you been designated as a class</p> <p>13 representative in the federal suit against ECFMG?</p> <p>14 A. Yes.</p> <p>15 MS. CLARY: Hence, why I thought you did</p> <p>16 not ask.</p> <p>17 BY MR. CATHELL:</p> <p>18 Q. Do you know what it means to be</p> <p>19 a -- strike that.</p> <p>20 What is your role as a class</p> <p>21 representative?</p>
<p style="text-align: right;">Page 83</p> <p>1 A. Yes.</p> <p>2 Q. And which firms are those?</p> <p>3 A. Well, I know this law firm, the one that</p> <p>4 represents me.</p> <p>5 Q. Any others?</p> <p>6 A. Other than that, no, I don't know of any</p> <p>7 others.</p> <p>8 Q. Do you know whether each member of the</p> <p>9 proposed class is asserting the same claims as you</p> <p>10 are?</p> <p>11 A. No, I do not know.</p> <p>12 Q. Have you tried to learn about the claims</p> <p>13 of the other proposed class members in this case?</p> <p>14 A. No.</p> <p>15 Q. Have you determined whether your claims</p> <p>16 are different than theirs in any way?</p> <p>17 A. No.</p> <p>18 Q. Do you know whether each member of the</p> <p>19 proposed class is seeking the same damages as you</p> <p>20 in this case?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 85</p> <p>1 A. To be the voice of all of the ladies that</p> <p>2 can't speak.</p> <p>3 Q. Why can't they speak?</p> <p>4 A. They could speak, but they can't speak</p> <p>5 right here right now. They can't tell you guys how</p> <p>6 disgusted they feel, how violated, how hurt to</p> <p>7 trust somebody who they called their doctor, and</p> <p>8 come to find out, that doctor, who we put our life</p> <p>9 in his hands, was a fraud.</p> <p>10 Q. Do you know whether there was a mediation</p> <p>11 in this matter?</p> <p>12 A. No.</p> <p>13 Q. Have you --</p> <p>14 MS. CLARY: I'm sorry. It's belated, but</p> <p>15 I'd just object to the term mediation. As a</p> <p>16 nonlawyer, she may not know what that is.</p> <p>17 BY MR. CATHELL:</p> <p>18 Q. Do you know whether the parties in this</p> <p>19 case engaged in settlement talks in an effort to</p> <p>20 settle the case?</p> <p>21 A. Yes.</p>

<p style="text-align: right;">Page 86</p> <p>1 Q. You do know that?</p> <p>2 A. Yes, I do.</p> <p>3 Q. Okay. And what is -- did you at any time</p> <p>4 talk or correspond with the other Plaintiffs</p> <p>5 regarding those settlement discussions?</p> <p>6 A. No.</p> <p>7 Q. Are you aware that a settlement offer was</p> <p>8 made --</p> <p>9 A. Yes.</p> <p>10 Q. -- on behalf of the Defendants?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And what is your understanding as</p> <p>13 to what that settlement offer was?</p> <p>14 A. A thousand.</p> <p>15 Q. And did you decline that settlement</p> <p>16 offer?</p> <p>17 A. Yes.</p> <p>18 Q. And Ms. Clary is going to object, so if</p> <p>19 you'll give her a second before answering. Do you</p> <p>20 know whether you're responsible for paying any of</p> <p>21 the costs and expenses of this litigation?</p>	<p style="text-align: right;">Page 88</p> <p>1 take it up later.</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Have you seen any of the documents that</p> <p>4 have been produced by the Defendants in this case?</p> <p>5 A. Yes, I did.</p> <p>6 Q. Okay. What did you review?</p> <p>7 A. There's been so many documents. I do not</p> <p>8 remember.</p> <p>9 Q. Do you know whether Dr. -- I'm sorry,</p> <p>10 were you finished?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Do you know whether Dr. Akoda is a</p> <p>13 defendant in this lawsuit or not?</p> <p>14 A. No, I do not know.</p> <p>15 Q. What is your understanding as to what the</p> <p>16 allegations are in the federal suit against ECFMG?</p> <p>17 MS. CLARY: Objection to the extent I do</p> <p>18 think that was covered, but go ahead again.</p> <p>19 THE WITNESS: They allowed him to</p> <p>20 continue to practice without him having the proper</p> <p>21 credentials that is needed.</p>
<p style="text-align: right;">Page 87</p> <p>1 MS. CLARY: Objection. I'm going to</p> <p>2 instruct her not to answer for the reasons we've</p> <p>3 discussed already.</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. Did you --</p> <p>6 MR. CATHELL: Thank you.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. Did you sign a retainer agreement with</p> <p>9 Schochor, Federico and Staton?</p> <p>10 MS. CLARY: I'm going to let you answer</p> <p>11 yes or no, but I don't want you to disclose</p> <p>12 anything further beyond a yes or a no answer.</p> <p>13 THE WITNESS: Yes.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. And we would ask -- we will be asking</p> <p>16 your attorney to provide it I know they object.</p> <p>17 MR. CATHELL: But just, for the record, I</p> <p>18 want to indicate that we are requesting the</p> <p>19 retainer agreement.</p> <p>20 MS. CLARY: I object. I think we've</p> <p>21 covered the objection and your response, and we'll</p>	<p style="text-align: right;">Page 89</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. What is your understanding of ECFMG's</p> <p>3 role in certifying Dr. Akoda?</p> <p>4 A. Could you repeat that?</p> <p>5 Q. Sure. What is your understanding -- and</p> <p>6 I'm asking you this as a result of your being in</p> <p>7 that lawsuit.</p> <p>8 What is your understanding of ECFMG's</p> <p>9 role in certifying Dr. Akoda?</p> <p>10 A. I do not recall. I don't remember.</p> <p>11 Q. Do you have any knowledge as to what type</p> <p>12 of background checks ECFMG conducts?</p> <p>13 A. Birth certificate, Social Security,</p> <p>14 passport.</p> <p>15 Q. Other than the call you received from</p> <p>16 Latisa Gaymon -- strike that.</p> <p>17 You received a telephone call from</p> <p>18 Ms. Gaymon. You then proceeded to Google the</p> <p>19 allegations against Dr. Akoda.</p> <p>20 Did you at any time see any advertising,</p> <p>21 such as TV commercials, or social media links, or</p>

<p style="text-align: right;">Page 90</p> <p>1 radio commercials regarding the all- -- sorry,</p> <p>2 regarding the allegations?</p> <p>3 A. After the fact.</p> <p>4 Q. After what fact?</p> <p>5 A. After I already had contacted my lawyers.</p> <p>6 Q. And what do you recall -- again, not</p> <p>7 anything related to them, but what do you recall</p> <p>8 see -- recall seeing or hearing?</p> <p>9 A. On the radio, if you were a patient of</p> <p>10 Dr. Akoda, please contact, and they said a phone</p> <p>11 number. You have been a victim of a scam.</p> <p>12 Q. Anything else?</p> <p>13 A. No.</p> <p>14 Q. And do you remember specifically, was it</p> <p>15 a TV advertisement or -- I'm sorry, you said it was</p> <p>16 a radio advertisement?</p> <p>17 A. Radio.</p> <p>18 Q. And do you recall specifically which law</p> <p>19 firm was sponsoring that advertisement?</p> <p>20 A. I do not remember. I don't recall which</p> <p>21 firm it was.</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. And you did not care about the OB/GYN's</p> <p>2 race?</p> <p>3 A. No.</p> <p>4 Q. Or nationality?</p> <p>5 A. No.</p> <p>6 Q. And you did not care about the exact</p> <p>7 location of the OB/GYN, beyond being local,</p> <p>8 correct?</p> <p>9 A. Well, at first, I didn't want to deliver</p> <p>10 my child at PGH, but I didn't have no choice.</p> <p>11 Q. And why did you not have a choice?</p> <p>12 A. Because the doctor's office, that was the</p> <p>13 only hospital they were associated with.</p> <p>14 Q. Is it fair to say that you not -- did not</p> <p>15 care about the name of your physician?</p> <p>16 A. The name, no.</p> <p>17 Q. You agree that Dr. Akoda delivered your</p> <p>18 baby safe -- safe and healthy?</p> <p>19 MS. CLARY: Objection. I think it's been</p> <p>20 covered, but go ahead.</p> <p>21 THE WITNESS: Yes.</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. And hearing that advertisement -- strike</p> <p>2 that.</p> <p>3 Did you participate in any interview with</p> <p>4 any media person or organization about your</p> <p>5 involvement with Dr. Akoda?</p> <p>6 A. No.</p> <p>7 Q. Did you go on The Dr. Oz Show?</p> <p>8 A. No.</p> <p>9 Q. Were you contacted to go on The Dr. Oz</p> <p>10 Show?</p> <p>11 A. No.</p> <p>12 Q. Is it fair to say that when you were</p> <p>13 choosing your OB/GYN, you selected an OB/GYN based</p> <p>14 upon the skill set of the physician?</p> <p>15 A. Yes.</p> <p>16 Q. And your concern was that he or she could</p> <p>17 deliver your baby safely and healthy, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And you did not care if your OB/GYN was a</p> <p>20 man or a woman?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 93</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. And it's my understanding that Jaiden is</p> <p>3 four now, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And I'm hopeful that Jaiden is currently</p> <p>6 healthy; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. And was Jaiden the only baby you</p> <p>9 delivered with Dr. Akoda?</p> <p>10 A. Yes.</p> <p>11 Q. At any time during any care and treatment</p> <p>12 that Dr. Akoda provided to -- to you, did you ever</p> <p>13 ask for a different doctor?</p> <p>14 A. No.</p> <p>15 Q. We talked briefly about the six-week</p> <p>16 check -- postpartum check-up where you came back in</p> <p>17 to see Dr. Akoda, and you mentioned that he</p> <p>18 diagnosed you with a cyst at that time and had</p> <p>19 removed that cyst, is that an accurate</p> <p>20 representation of your testimony?</p> <p>21 A. That's correct.</p>



<p style="text-align: right;">Page 94</p> <p>1 Q. And, to your knowledge, was the cyst, in</p> <p>2 fact, removed at that time?</p> <p>3 A. I don't have -- he claimed he -- he</p> <p>4 burned it. I don't know.</p> <p>5 Q. Okay. Fair enough. If -- do you have</p> <p>6 any ongoing signs or symptoms or injuries related</p> <p>7 to the cyst?</p> <p>8 A. I had pain. I went to the emergency room</p> <p>9 at Southern Maryland Hospital, and they said I had</p> <p>10 an ovarian cyst still. And this is recently, last</p> <p>11 year recently. I also have cyst in my kidneys.</p> <p>12 Q. Okay.</p> <p>13 A. This is recently. So, if it was removed,</p> <p>14 I'm -- I don't know.</p> <p>15 Q. As -- okay. Is -- has anyone -- strike</p> <p>16 that.</p> <p>17 Has any doctor told you that Dr. Akoda</p> <p>18 didn't effectively remove the ovarian cyst at your</p> <p>19 six-week postpartum appointment?</p> <p>20 A. No.</p> <p>21 Q. Do you have any reason to believe that</p>	<p style="text-align: right;">Page 96</p> <p>1 she mentioned earlier. She talked about the -- an</p> <p>2 employment change.</p> <p>3 MR. CATHELL: Right.</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. Other than that?</p> <p>6 A. Other than that, no.</p> <p>7 Q. Okay.</p> <p>8 (Whereupon, there was a pause for</p> <p>9 document examination.)</p> <p>10 MR. CATHELL: That's all I have, ma'am.</p> <p>11 Thank you very much.</p> <p>12 MS. CLARY: She'll read and sign.</p> <p>13 THE WITNESS: Thank you.</p> <p>14 THE VIDEOGRAPHER: This concludes today's</p> <p>15 videotape deposition of Elsa Powell. This is media</p> <p>16 unit number two of two. Going off the record. The</p> <p>17 time is 11:49 a m.</p> <p>18 (Whereupon, the deposition of Elsa</p> <p>19 Miguelina Powell was concluded at 11:49 a m., and</p> <p>20 the reading and signing of the transcript was not</p> <p>21 waived.)</p>
<p style="text-align: right;">Page 95</p> <p>1 the ovarian cyst that was discovered at Southern</p> <p>2 Maryland is the same cyst or is related to the cyst</p> <p>3 that Dr. Akoda removed?</p> <p>4 A. I -- I wouldn't be able to tell you. I</p> <p>5 don't -- I don't know.</p> <p>6 MR. CATHELL: I think we're finished, if</p> <p>7 I could just look through my notes briefly.</p> <p>8 THE WITNESS: Okay.</p> <p>9 MS. CLARY: Sure.</p> <p>10 MR. CATHELL: You'll definitely be on the</p> <p>11 road by 12.</p> <p>12 (Whereupon, there was a pause for</p> <p>13 document examination.)</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. I showed you your Answers to</p> <p>16 Interrogatories and marked them an exhibit, but I</p> <p>17 don't think I asked you the question of whether</p> <p>18 they are accurate sitting here today or whether you</p> <p>19 would want to make any additions or revisions to</p> <p>20 the answers?</p> <p>21 MS. CLARY: Other than the one revision</p>	<p style="text-align: right;">Page 97</p> <p>1 Russell v. Dimensions</p> <p>2 Elsa Miguelina Powell</p> <p>3 INSTRUCTIONS TO THE WITNESS</p> <p>4 Please read your deposition over</p> <p>5 carefully and make any necessary corrections. You</p> <p>6 should state the reason in the appropriate space on</p> <p>7 the errata sheet for any corrections that are made.</p> <p>8 After doing so, please sign the errata</p> <p>9 sheet and date it.</p> <p>10 You are signing same subject to the</p> <p>11 changes you have noted on the errata sheet, what</p> <p>12 will be attached to the deposition.</p> <p>13 It is imperative that you return the</p> <p>14 original errata sheet to the deposing attorney</p> <p>15 thirty (30) days of receipt of the deposition</p> <p>16 transcript by you. If you fail to do so, the</p> <p>17 deposition transcript may be deemed to be accurate</p> <p>18 and may be used in court.</p> <p>19</p> <p>20</p> <p>21 Job #3269933</p>

Page 98	Page 100
1 Russell v. Dimensions	1 State of Maryland
2 Elsa Miguelina Powell	2 County of Baltimore, to wit:
3 ERRATA	3 I, Michele D. Lambie, a Notary Public of
4 PAGE LINE CHANGE	4 the State of Maryland, County of Baltimore, do
5 --- -- -----	5 hereby certify that the within-named witness
6 Reason: _____	6 personally appeared before me at the time and place
7 --- -- -----	7 herein set out, and after having been duly sworn by
8 Reason: _____	8 me, according to law, was examined by counsel.
9 --- -- -----	9 I further certify that the examination
10 Reason: _____	10 was recorded stenographically by me and this
11 --- -- -----	11 transcript is a true record of the proceedings.
12 Reason: _____	12 I further certify that I am not of
13 --- -- -----	13 counsel to any of the parties, nor related to any
14 Reason: _____	14 of the parties, nor in any way interested in the
15 --- -- -----	15 outcome of this action.
16 Reason: _____	16 As witness my hand this 8th day of April, 2019.
17 --- -- -----	17 8th day of April 2019.
18 Reason: _____	18
19 --- -- -----	19 
20 Reason: _____	20 Michele D. Lambie
21 Job #3269933	21 My Commission Expires: April 29, 2020
Page 99	
1 Russell v. Dimensions	
2 Elsa Miguelina Powell	
3 ACKNOWLEDGMENT OF DEPONENT	
4 I, ELSA MIGUELINA POWELL, do hereby	
5 certify that I have read the foregoing pages and	
6 that the same is a correct transcription of the	
7 answers given by me to the questions therein	
8 propounded, except for the corrections or changes	
9 in form or substance, if any, noted in the attached	
10 errata sheet.	
11 _____	
12 DATE SIGNATURE	
13	
14	
15	
16	
17	
18	
19	
20	
21 Job #3269933	

Maryland Rules of Procedure  
Title 2, Chapter 400, Rule 2-415

(D) Signature and Changes

Unless changes and signing are waived by the deponent and the parties, the officer shall submit the transcript to the deponent, accompanied by a notice in substantially the following form:

[Caption of case], NOTICE TO [name of deponent].

The enclosed transcript of your deposition in the above-captioned case is submitted to you on [date of submission of the transcript to the deponent] for your signature and any corrections or other changes you wish to make. All corrections and other changes will become part of your sworn testimony. After you have read the transcript, sign it and, if you are making changes, attach to the transcript a separate correction sheet stating the changes and the reason why each change is being made. Return the signed transcript and any correction sheet to [name and address of officer before whom the deposition was taken] no later than 30 days after the date stated above. If you fail to return the signed transcript and any correction sheet within the time allowed, the transcript may be used

As if signed by you. See Rules 2-415 and 2-501 of the Maryland Rules of Procedure.

Within 30 days after the date the officer mails or otherwise submits the transcript to the Deponent, the deponent shall (1) sign the transcript and (2) note any changes to the form or substance of the testimony in the transcript on a separate correction sheet, stating the reason why each change is being made. The officer promptly shall serve a copy of the correction sheet on the parties and attach the correction sheet to the transcript. The changes contained on the correction sheet become part of the transcript. If the deponent does not timely sign the transcript, the officer shall sign the transcript, certifying the date that the transcript was submitted to the deponent with the notice required by this section and that the transcript was not signed and returned within the time allowed. The transcript may then be used as if signed by the deponent, unless the court finds, on a motion to suppress under section (i) (j) of this Rule, that the reason for the failure to sign requires rejection of all or part of the transcript.

(I) Further Deposition Upon Substantive Changes to Transcript

If a correction sheet contains substantive changes, any party may serve notice of a further deposition of the deponent limited to the subject matter of the substantive changes made by the deponent unless the court, on motion of a party pursuant to Rule 2-403, enters a protective order precluding the further deposition.

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